ASKS IS REPRESENTATIVE GOVERNMENT BREAKING DOWN?

Professor Hart Points to the Inefficiency of Legislative Bodies, With Their Flood of Bills, and Thinks Members Are No Longer Democratic in Spirit

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"GOVERNMENT of the people, by the people, for the people." Noblest of sentiments, in twelve words describing the source, the method and the aim of popular government!

A Congress of the United States in almost continuous session for ten months, and only one statute of great national importance embodying a policy, as yet inscribed upon the statute book!

What is the matter? Lots of good folks will say it's no matter; that there is too much legislation, too much debate, too many acts of Congress, and we ought to be thankful to have a King Log in the Capitol instead of the King Stork that was so liberal with war measures.

That idea is a part of the criminal good nature of the American people, who have a sneaking belief that weak and poor public servants at least do no harm. Harm is always done in an advancing country if nothing is done by the officials appointed thereto. If you have a weak Governor or Mayor or chairman of the school board, things are done just the same, only they are done by somebody else than the official. Bosses do things, private secretaries do things, office boys stick the wrong bill under the Mayor's pen. Weak government is a big, positive, strong influence, not alone toward inefficiency but leading straight to the bold and cynical efficiency of invisible government.

Is It the Initiative And Referendum Threat?

Some people think that legislators and regular legislative work are breaking down under the influence of the initiative and referendum. The many States of the Union that have never introduced that method cannot show a better, wiser, or busier legislature than the referendum States. Nor have those latter States been demoralized by the I. and R. Oregon and California are as pleasant to live in, as free from oppression, and no more prolific of taxes, than the rest of the Union.

In Massachusetts, where the initiative and referendum has been in force for four years, its principal service is to shake up the legislature with a sense of what will happen if it does not get busy, or gets too busy. In general the I. and R. is a rod in the closet. If the legislature is a good boy it is not called into service.

The great complaint the country over is not that the legislatures do too little but that they do too much. There is such an appalling flood of bills, bills, bills, and annual statutes, volume after volume, and codifications and new statutes. Then on the top of all, Congress, pouring out laws like straw blown from a threshing machine; and yet insanely economical of laws that the whole community wants.

Here is a country with, in States and nation, 98 legislative houses, of which on the average at least 50 are in session in any particular year. Not one of those great legislative bodies is organized to be prompt and efficient. The State legislatures run from a lower house of over 300 in New Hampshire (one of the smallest States in the Union) to a Senate of 51 in New York. Congress has 435 Representatives and 96 Senators. It is a tremendous legislation factory which feels that its business reputation depends on turning out a big product.

All the State legislatures and city councils are working on maximum product also. The ordinary individual is governed by the laws of the United States and the laws of his own State and the laws of his city and, of course, by natural law and international law and the moral law and the official golf rules. Of almost none of these is he aware, and some he is certain to break knowingly or unknowingly. Hardly a grown man or woman in the land who has not at some time violated some law the penalty of which may be a jail sentence.

Most Statutes Not For General Benefit

This flood of legislation is proof that legislatures lawmake not wisely but too well. Anybody who has been inside the lair of a Legislature or Congress knows that not one-tenth of the laws passed relate to general public concerns and that the greater part ought to be swept out of the State House and into the offices of the executive departments. In the recent Massachusetts Constitutional Convention Mr. Luce, a great experience in the Legislature and now a member of Congress, in vain urged that the Legislature should have power to authorize executive and administrative boards "to issue ordinances which shall have the force of law."

That is exactly what hundreds of boards are doing all over the Union all the time. On the other hand, a very considerable part of every State statute book is made up of acts which never ought to come before a Legislature, because they are details which could be much better settled by an administrative body. Still more because so many are acts for private advantage and gain, which are against the interest of the whole community and never ought to be allowed.

If the Legislatures and Congress could by force of conscience or by constitutional amendment or by ordinary common sense deprive themselves of the prerogative of private bills they might have sufficient time to put through well drafted laws for the general public benefit.

Is it the two house system?

Perhaps that is too hopeful a hope, because American Legislatures, their rules, procedure and results, are not practical, nor intended to bring about the democratic end of the greatest good to the greatest number. We have two house Legislatures apparently because most of the colonies had a kind of upper house; and also because the framers of the first State Constitutions thought small State Senates would be likely to feel more regard for property and precedent than a popularly elected Assembly.

Two House System Not A Success in the States

The national two house system is well built, because the power in the Senate is so distributed geographically through the equality of the small States with the large that the Senate cannot be stampeded by the votes of any section, or of a group of a large State. The two houses of the State Legislatures are made up of the same kind of men coming from the same areas, representing the same voters.

Ten good bills are killed by disagreement of the two houses to one bad bill that is hung up. Yet you might as well try to dry up Niagara Falls by a canal across Illinois as to put an end to the two house system. It is part of our heritage.

We speak of the House of Representatives as though it were one body in which measures were introduced, discussed on their merits, and voted according to the best judgment of the majority. The House and the Senate are in fact both loose federations of two political parties with a few independent and fragmentary parties. Congress is like two double stars, each with a satellite. Or rather, the majority in each is a star around which the minority party has to revolve.

Doubtless many bills, especially private bills, go through Congress on the influence of the members who stand sponsor for them. On many unimportant bills and also many very important measures, there is no record of any decision other than a voice vote. Probably three-fourths of the bills that get through Congress could be stopped at some stage by the objection of one man; but woe to him who makes himself the unlicensed agent of the Almighty by objecting right and left!

Membership of Fair Quality, But Terms Too Short

The membership of legislative bodies is fair in quality. Congress, the legislatures and the constitutional conventions, which are a third kind of American legislatures, always include a good proportion of the solid citizens of the country. In the legislatures the term is too short—probably the average service per person is not much above four years—so that few have time to become skilled in legislation, and the ordinary members are helpless clogs in the mill.

In Congress it is just the other way. Service is so long for many members of both houses that weak men get to the top by living and nursing their constituencies.

What about satrap chairmen?

This is perhaps the most serious difficulty in American government, and it is all tied up with the committee system. Colonial legislatures and the first two or three Congresses knew nothing of standing committees. In 1815 there were only fifteen House committees. In 1922 there are about sixty and about as many in the House, of which about twenty-five in each house are active and powerful.

Everybody knows that each chairman of committee (who is never elected by his own committee) is an autocrat. If he refuses to call his committee together there is no remedy; nor if the chairman pockets a bill that is presented to the committee or refuses to have it discussed. In the present Congress a chairman dared to withhold a bill which his own committee had by a majority approved, with a direction that it be submitted. He was not even hung, to say nothing of not being expelled.

Is it seniority?

Here we strike the bed rock of the present troubles of Congress and the same thing prevails in the State Legislatures on a smaller scale because of the more frequent changes in personnel. The seniority principle, that the oldest man must precede the best man, applies in the United States only in the army, the Senate and House and the highly organized trade unions. Under that principle, when a man gets on a good committee he goes up from Congress to Congress, as vacancies appear, until (with the important condition that he is member of the majority) he claims the chairmanship as his right.

Seniority has a reason in the army. Without the opportunity of higher pay and responsibility the good officers would all resign in middle life and go into professions or business, but there is no seniority when it comes to choosing the commander in chief. The United States in 1812 tried the experiment of putting old Revolutionary officers at the head of armies, and it was never repeated. Seniority rule in a legislative body is rank foolishness.

Ablest Man Unlikely To Become Chairman

The only reason for having committee chairmen at all is that you need the ablest and most wide awake man to run the business of the committee and to present its results to Congress. The seniority rule makes it next to impossible that the ablest man on the committee would be its head. Hence the extraordinary weakness of Congress, particularly in the House, where some of the most important committee chairmanships are in the hands of weak men. Whatever the merits or defects of Mr. Fordney, for example, it does not seem likely that the House as a whole or the Republican majority of the House would ever have selected him to engineer a tariff bill. He did not win the chairmanship; he stepped into it off his running board.

Some publicists have urged that the way to give Congress "pep" is to seat the members of the President's Cabinet as talking guests on the floor of one or the other house. Anybody can foretell the result; it would be a shindy. For the members of the Cabinet are chosen without any regard whatever for seniority. Every man comes in at his own age and on his own responsibility. What would happen to the Nestors and solons and Catos of the House and Senate committees if men like Hughes or Hoover or Davis had the chance to express their minds at them right on the venerated floor of Congress?

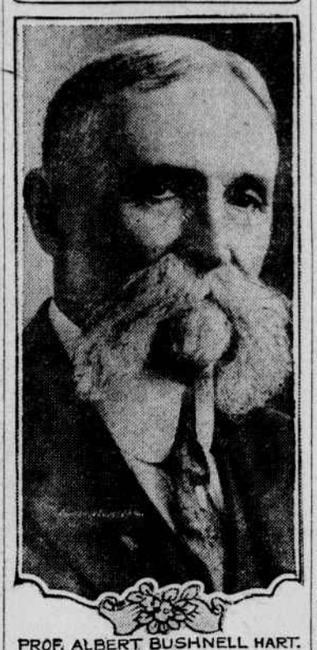
Foremost Men Seldom Legislative Leaders

There is no denying that legislative bodies need leaders. It is the business of democracies to develop leaders. Jefferson, Jackson, Lincoln and Roosevelt all pointed the way to a policy intended to make the different parts of the system of government act together. Congress has tried various systems. It has never been much under the sway of its greatest men. John Randolph and Webster and Calhoun and Seward and John Sherman were never legislators. They were arousers, debaters, orators, persuaders. Clay was the only framer of wondrous statutes that settled great controversies.

And Clay was also the first, and one of the greatest, of the Speakers of the House of Representatives who from 1811 to 1911 were the chief centers of legislative force. Henry Clay, Robert C. Winthrop, James G. Blaine, John G. Carlisle, Czar Thomas B. Reed, Uncle Joe Cannon—they were the men that drove the Chariot of State, and their driving was like unto the driving of Jehu the son of Nimshi. They got there. If Cannon had been more of a statesman and less of a driver he would have driven at less speed.

In substituting a steering committee for the will of the majority the House has lost both force and reputation. The steering committee acts under cover. It is a stinging ray. You do not know it is there until it paralyzes you. One of the main reasons for the decline of Congress in the public estimation is that, in spite of the researches and guesses of the Washington correspondents, the public does not know what is going on behind the scenes. They can only surmise that difficulties are being settled by the good old fashioned method of "You scratch my back, and I'll scratch yours."

FOR FEWER LAWS



PROF. ALBERT BUSHNELL HART.

Places in Parliament Won by Fighting Ability

Congress through its seniority system deliberately destroys the usual motives of competition and personal victory. That is where the English Parliament has the weather gauge of the American Congress. The leaders there, who get the places in the Cabinet which roughly correspond to our committee chairmanships, have to fight their way to it. They must show superior ability in debate. They must prove that they are familiar with the needs of the public service. They must be skilled in the rough and tumble on the floor.

They must come into immediate personal touch with the Prime Minister, who corresponds at the same time with one former Speaker of the House and the President. In our Senate with its long terms and more open debate, men do get reputations as debaters and as statesmen. In the House, newcomers have a long and dreary struggle to get into a good committee where they can really exert personal influence.

The Premier in Parliament has another great advantage. He is the initiator of the source of legislation on broad public questions for Parliament. He has practically only the House of Commons to deal with, and there is backed up by the members of his party who are kept in allegiance by relations with the other members of the Cabinet. No bill can be put over on him or he would resign and all the members of the Cabinet would go with him.

Where the American Party System Fails

In this respect the American legislature and the American political party system are broken down. There is no one personality in either house who starts things, lays out a program, decides in what order measures shall be debated. The actual motive force in Congress is a steering committee, of which the Speaker and two other majority members of the House are parties and several Senators are also parties. Shall we say Senator Lodge, Senator Smoot and Senator Who?

This committee has no official status, keeps no records and you can only guess its existence as you would guess a submarine on the bottom by the oil bubbles coming up. The real work of Congress is done—we will not say in secret—let us use the less disagreeable words, "in private." The great decisions are not really made by majorities voting on the floor of the two houses, but by understandings and agreements and combines made by a few members of the two houses who do not give out their names for publication.

The people of the United States, like other intelligent people, want to know who their great men are and what they are doing. Also, like other active folks, they enjoy a good fight, particularly between intellectual champions. They want real debate, not a lot of obscure political deals made in sealed committee rooms and thrown into Congress as the only way of reaching results.

That is why great numbers of people who feel no personal affection for Senator Borah and Senator Hiram Johnson and Senator La Follette, do greatly enjoy it when those statesmen slam their opponent. Who would pay money for a fight where all that you saw or heard was scuffling behind the scenes, till somebody comes out and announces that he has licked his opponent to a finish?

Public Seeks Eagerly Men of Roosevelt Type

Be not deceived! The wanted solution of democracy in a great world state is to give the people a chance to find a big man. They want somebody of the Roosevelt type and don't care whether he came from the stokehole or the purser's office or the officers' wardroom, and put him on the bridge and bid him steer.

If you can't have a Speaker or committee chairmen who can make other people at least consider them, you always have a President. There have been some weak executives, such as President Pierce, who used to take a poll of his Cabinet and govern himself according to the majority. The country has known some typical representative go ahead, follow-me-boys Presidents.

Jefferson made no public speeches, but somehow Congress never but once refused to pass into law what his intimate friends suggested. Andrew Jackson defied a hostile Congress for six years and finally got one that would take his leadership. Lincoln was one of the consummate masters of managing Congress. Grover Cleveland in his first Administration put himself at the head of Congress as he did at the head of the nation. Four successive Presidents, McKinley, Roosevelt, Taft and Wilson, drew up measures which Congress reluctantly enacted; and the last three of them were not afraid to sound their trumpets over the heads of Congress into the ears of the people at large.

President Dislikes To Disappoint Others

President Harding has had a different training. He has been a Senator. He has been a Governor in a State where the Governor has always had limited power. He is a kind hearted man who does not like to hurt people's feelings. He has expected that the rousing Republican majority in both houses would use its strength for the reconstructive legislation which the country sorely needs. At any rate, whatever the reason, he has held back from urging his own measures except the subsidy bill, which, poor child! seems to have a weak heart.

Who can say what might have been done with so strong a Cabinet as his and such an overwhelming popular vote behind him in the election of 1920?

Another terrible weakness of Congress is in its procedure and rules. The ordinary stitched number of the *Congressional Record* has in it elements for one of Charlie Chaplin's elevated and imaginative creations. One-fourth of the thousand dollar an hour sessions is given up to routine and scrabbles and fights for the floor. The *Record* embalms multitudes of "speechless speeches," addressed to "Mr. Speaker" and punctuated with numerous "applauses," which were never delivered.

Congress passes reams of bills without discussions and often works with less than a quorum because nobody calls the attention of the Speaker. The sacred chairman sternly represses members of his own committee or others who venture to kick over the traces. Congress chews technicalities like a sweet morsel under the tongue. It speaks by the volume for Buncombe. Its great men live on camouflage. Here is the opinion of his own work expressed by Mr. Mondell, Republican floor leader, at the end of the recent special session:

Record Will Look Better When Fog Clears Away

"This splendid record, no better ever made by a legislative body since time began, to you will grow brighter and be more appreciated as time passes, as the groundfogs and the dust of conflict that always becloud the day of action clear away and this record shall be read in the unobscured and unprejudiced light of history. (Loud applause on the Republican side)."

Mr. Mondell and everybody in Congress ought to understand that this self bestowed diploma does not pass current in the rest of the country. Here is no party question. There is no reason to suppose that the Democratic party would show any greater competence or understanding of what the country wants.

Some seer has said that "the proof of democracy is that it democs." The present Congress, and many of the State Legislatures, are not democratic in spirit, because they have abolished the traditional and common sense ways of representing the popular will, because they cut loose from their constituents. They deal in too much palaver and too little straight talk.

Congress actually seems to think that it is a body of directors of a corporation which owes no account of its real proceedings to the stockholders. It thinks that the Congress of the United States of America belongs to itself and can perform the public business or leave it at sixes and sevens according to how it feels. Congress acts like a private club in which diversity of opinions is allowed but into which magnates from outside are allowed to express their opinions but the management of the club and its votes are private property.

Nothing of the kind. Congress is the agent of the nation or it is nothing. Congress governs us. Who governs Congress? Let's find out and duck him.

HOW ESPERANTO WON THE CUP

Capt. Marty Welch Sailed the Fourteen-Year-Old Gloucester Fishing Schooner to Two Straight Victories, Taking the Wheel Throughout Each Day's Racing

By JAMES B. CONNOLLY.

TWO years ago the city of Halifax, seeking a big feature for their carnival week, invited the fishing vessels of Nova Scotia to hold a race off her harbor.

The Delawanna of Lunenberg won the race, and she made such an impression on Halifax that a committee of Halifax citizens challenged the port of Gloucester to send down a schooner to outsail her. Gloucester was to say yes or no to the challenge within one week, then name her vessel, and have her in Halifax ready to race within another ten days.

Now Gloucester had not in port at that time what she rated her fastest vessel; nor her second, or third, or fourth, or fifth fastest vessel. Her best sailing vessels were out to sea, and no telling when they would be home; or, if one should happen in, whether she could be quickly enough put in her best trim for racing.

Caught at such disadvantage and also disliking the arbitrary conditions of the challenge, many Gloucester citizens were for telling Halifax to go to the devil or elsewhere; but there were others who asked if Gloucester could afford to decline the challenge. The fame of Gloucester's fleet, the deeds of her vessels and crews had become an American glory, and now to refuse to race, no matter what the conditions or what the wording of a challenge, would be to dim the luster of that glory.

Gloucester decided to race, and then came the job of finding a vessel. The best of the all sail vessels were out to sea. There were three or four fine lined auxiliaries in port, but to remove the engines, shift the ballast and cut a full size mainsail for any of such before the day of the race—there wasn't time for that. They would have to take what they could find among the all sail vessels.

Esperanto Arrives In Time to Refit

They were still debating and searching when sailing into port came a fourteen-year-old fishing schooner, the Esperanto. Charles Harty, retired captain and sailing expert on the Gloucester committee, squinted his eyes at her and shouted: "There's our vessel!" When the Esperanto was new he had had her for a mackerel cruise, and he had not forgotten that she could sail when right. A sensitive old girl!—three inches down by the head or four inches down by the stern and she was an old plug; but get her right, and she could sail.

As it happened, Ben Smith was a part owner of the Esperanto. "You put her in trim, Charlie, and I'll see to the rest," said Ben, and Charlie engaged to put her in trim.

How Charlie Harty in what time was left took the old Esperanto, wind blown and sea weary from her three months of salt fishing on the Grand Banks, and put her in trim; how Ben Smith gave Harty all the material aid necessary; how Capt. Martin Welch was picked to sail her, and how he sailed her to two straight wins and victory is an epic in Gloucester's annals now.

On both race days Marty Welch held the Esperanto's wheel from the time she left her dock in the morning until he brought her back again in the evening; besides doing that he gave every order and saw that every order was carried out; he watched the compass and all race marks, doing all this each race day without ever once letting go the wheel, not even to get a cup of coffee. And that is the Gloucester and Boston's fishermen's notion of how a vessel should be sailed—the skipper at the wheel and in full command, with knowledge of the disposition of every sheet and every halliard and every sail in every slant of wind while the race is on.

All Americans, and All Served Without Pay

Every one of that Esperanto fishing crew was an American citizen and every one of them served without pay. From the time they signed up in Gloucester to race until the Esperanto was back home again was a month, which meant that they gave up a month of their working year for the honor of sailing in that international race. The owners from out of the prize money bought souvenir watches for the crew, and they were pleased with the watches because inside each watch cover was an inscription testifying that the bearer had been a member of the Esperanto's crew in the international race.

But it was not for prizes or rewards that those men served in that race. An immense big cup set up on a high ebony pedestal was to go (and did go) to the winning vessel. All the time the Esperanto was in Halifax that cup was on exhibition in a big shop window on the main street. That shop window was within three minutes' walk of the Esperanto's dock, and yet all the while they were in Halifax not one-third of her crew ever went up the street to have a look at the prize cup. Members of her crew even passed the window itself without bothering to look over the heads of the crowd around the window to see what the cup looked like.

After the race the Esperanto carried that cup back to Gloucester. With its pedestal it was tall as a man, and it came aboard in a big box and was carefully lowered into the hold. Throughout the passage back to Gloucester that box with the big prize cup in it lay in the hold of the vessel and not one man aboard was curious enough to ask to have the package opened for a look at the cup. Two-thirds of the crew never did see that cup till it was set up on the pedestal between the Governor of the State and "Marty" Welch on the night of the big dinner in Gloucester after we got home.

Nova Scotia's New Craft Too Big for Gloucester

For the second year's racing—last year that is—the Nova Scotians built two new, big vessels, too big to be matched by anything Gloucester had. Gloucester made no more preparation for the race than she had the year before. As the time drew near for the second race the committee began to look around at the last hour. There were several willing to do their best for the reputation of Gloucester—the Arthur James, fresh in from a seining trip; the Ralph Brown, an auxiliary but willing to seal up her engine and try it; the Elsie, fresh home like the Esperanto from a season of salt fishing on the Grand Banks. A couple of smaller ones, fresh in from the sea, not so well thought of but with sporting captains and crews, also stood ready to give battle.

A trial race was decided upon, so they hove the seine boat from the James up on to the dock, took off the Brown's propellers, leaving her two big wooden shaft boxes sticking out under her quarter, hoisted the salt fish out of the Elsie and in such rough seagoing trim they went at it.

The Elsie won the trial race, and then in the same rough and ready fashion of the Esperanto she sailed to Halifax to battle the Bluenose. (Her crew were also all volunteers and serving without hope of pay.) But the Elsie had a tough job ahead of her. The Delawanna and the Esperanto were of a size—the Delawanna a bit wider, the Esperanto a bit deeper, and both of the one length, but the Elsie was taking on a vessel that was 19 feet or so longer over all, wider and deeper proportionately, and there is no such thing as time allowance in fishermen's races.

The Elsie was beaten. She made a great showing for her tonnage, holding her own for half the first race and leading for two-thirds of the course in the second race. But she couldn't win. She just did not have the length and depth to grip the water with the big fellow when it came to going to windward.

The Bluenose, a big, handsome, able vessel, which was also well handled, won two straight races.

The Gloucester fisherman (and this holds for the men of the big Boston fleet, too) is a professional seagoer, if ever there was one. By reason of a natural aptitude and a long, hard experience he wrests a living from rough waters, but in matters of sport he is the real amateur. His is not the spirit of the professional pugilist who trains for weeks with sparring partners, rubbers, &c., and so enters the ring with a razor edge on to meet a particular adversary on a set date for a purse.

Willing to Race Even if Unready

Don't imagine that the Gloucester men do not understand all the fine points of getting a vessel in shape for a race. Nobody knows that game better, but they also think it ridiculous to race a vessel in any but a seagoing condition. If they are challenged to race when not ready, why, that is hard luck, but no reason for refusing to race. And if the other boat is a bit bigger, why, that's part of it, too.

The Esperanto when she raced off Halifax two years ago, had a mainsail four years old, a foresail that bellied scandalously, and a jib that was too small. Also her staysail could have been a lot bigger and no harm done. The Elsie when she raced a year ago also had sails that didn't fit; and both vessels carried the same spars, the same ballast in their holds that they would wish to have to meet a hard gale on the Grand Banks.

Last year when the Elsie went to Halifax her crew, after a look at the Bluenose, noticed that she had no ratlines to her shrouds. (Ratlines are the foot ropes by which men go aloft.) On inquiry they learned that they had been taken out to reduce the resistance. The Elsie's crew smiled.

"Suppose they had had to get a man aloft in a hurry—how would he get there, fly?" asked one of the Elsie's crew.

They also smiled when they heard of the Royal Navy officer who was drilling the men at their station work. The Gloucester men's notion of it was that men who had had the benefit of being together for two trial races and still could not fall quickly and naturally into stations must be a queer lot of fishermen.

That Bluenose crew were not a queer lot of fishermen; they were a good outfit, as was Captain Tommie Himmelman and his crew of the Delawanna of the year before. That removing the ratlines to lessen the wind resistance was an outside touch, as was the drilling by a naval officer. And it was a touch that was foreign to all fisherman tradition, both for Gloucester and Nova Scotia.

Outside influence, not fishermen's influence, barred the Mayflower from racing last year; and seems to be barring her from the race this year. The Mayflower was the big vessel built in Boston to race the big Bluenose. Why she was not allowed to race and why Gloucester did not build a big vessel to match the Bluenose is too long a story to tell here, although some of us in Gloucester and Boston think it should be told somewhere and perhaps soon.

The America's Cup race used to be a great sporting event. Club house yachtsmen and publicity experts came to the helm and to-day the America's Cup race is a joke.

It may be hard to imagine this fishermen's race becoming a joke, but plenty of us here in New England can remember the time when it would have been just as hard to imagine that the old America's Cup would ever become a joke.

HAYES CENTENARY RECALLS HIS CAREER

A Brave Soldier, He Was Declared Elected Nineteenth President of the United States in One of the Stormiest Periods of American Political History

By WILLIAM B. THOM.

ON Wednesday, October 4, will be celebrated the one hundredth anniversary of the birth of Rutherford B. Hayes. At Spiegel Grove, Fremont, Ohio, a spectacular military and civic demonstration will honor the memory of one of the Buckeye State's most distinguished sons.

Rutherford Birchard Hayes, nineteenth President of the United States, some of whose ancestors fought under the leadership of William Wallace and Robert Bruce in Scotland, was born at Delaware, Ohio, October 4, 1822. His father died before the son's birthday, leaving the bereaved mother in humble circumstances. When a mere infant he suffered so severe an attack of illness that for some time the women of the neighborhood made the daily inquiry, "Did Mrs. Hayes's baby die last night?"

As a small boy he was a model pupil. In his fourteenth year he went to the seminary at Norwalk, Ohio, where he is said to have studied under the guidance of the Rev. Mr. Chapman. In due time he entered Kenyon College, at Gambier, Ohio, finishing the course as valedictorian of his class. At that period of his life he was a capital shot with the rifle and enjoyed hunting, fishing, swimming and skating. Once while at Gambier he walked the forty miles to his home at Delaware in twelve hours, and after Christmas walked back to Gambier in four inches of snow. His favorite studies were mathematics, logic and mental and moral philosophy.

After preparing himself for the legal profession at the law school of Harvard University, which he left in 1845, he began practice at Fremont, in his native State. In 1850 he moved to Cincinnati.

In 1852 Hayes married Miss Lucy Ware Webb of Chillicothe, Ohio, whose grandfather was Lieut. Cook of the Revolutionary army. In 1859 the future President was elected City Solicitor of Cincinnati, his first office. In early life an anti-slavery Whig, he joined the Republican party on its organization and took a prominent part in politics.

Wounded Four Times and Promoted for Bravery

When the civil war broke out Hayes responded to the first call for troops, receiving a commission as Major of the Twenty-third Ohio Infantry June 7, 1861. Among the many battles in which he participated were those of South Mountain, Winchester, Fisher's Hill and Cedar Creek. At South Mountain a missile broke one of his arms, but after a short delay he again rushed into the battle with the wound half dressed, fighting until weakness made it necessary to carry him from the field. Three injuries followed the one received at South Mountain. Four horses were shot under him. For bravery at Fishers Hill he became a Major-General by brevet. In 1864 he was elected to Congress from Cincinnati.

Gen. Hayes took his seat in Congress December 4, 1865. He made few speeches in that notable body, which then included such men as Thaddeus Stevens and John A. Bingham. He was elected Governor of Ohio in 1867. In 1869 he was reelected, and in 1875 he won for the third time the Gubernatorial contest, scoring a great victory for hard money. His chief rivals for the Governorship of his native State were the great Democratic leaders Allen G. Thurman, George H. Pendleton and William Allen. While chief executive of the State Gen. Hayes made reductions in the debt of the commonwealth, lowered the rate of taxation, established important State institutions and fostered such as were already functioning.

Blaine, Morton, Conkling, Among the Candidates

At the Republican National Convention held in Cincinnati in June, 1876, the principal candidates for the nomination for the Presidency were James G. Blaine, Oliver P. Morton, Benjamin H. Bristow, Roscoe Conkling and John F. Hartranft. It was on this occasion that Col. Robert G. Ingersoll, in presenting the name of James G. Blaine, referred to the statesman from Maine as "a plumed knight." In asking the convention to confer the nomination upon the Governor of Ohio Gen. Edward F. Noyes spoke of certain aspirants as "invincible in peace and invisible in war," saying that Gen. Hayes not only had no enemies but "possessed the qualities calculated to compromise all difficulties and to soften all antagonism." On the seventh ballot Hayes received 384 votes to Blaine's 351, and Hayes's nomination was made unanimous.

Gen. Hayes stood 5 feet 9 inches in height, and when nominated for the Presidency weighed between 180 and 190 pounds. His friends declared at that time that he could jump any fence upon which he could lay his hands, that he was a splendid horseman and a good shot and that he could cut a good swath in any granger's meadow. Roscoe Conkling said that Gen. Hayes was a man of "very estimable character, a man of the finest domestic relations and social qualities, of unblemished record, spotless in his integrity, modest, reticent and quiet, but for all that a man of great firmness." Charles A. Dana of THE NEW YORK SUN conceded that Hayes's record as Governor of Ohio was without flaw or spot.

In his letter of acceptance Gen. Hayes declared in favor of a single Presidential term, urged resumption of specie payments and expressed the hope that it would be "practicable to promote by the influence of the legitimate agencies of the general Government the efforts of the people of the South to obtain for themselves the blessing of honest and capable local government."

To oppose the ticket headed by Hayes and Wheeler the Democratic national convention nominated Gov. Samuel J. Tilden of New York and Gov. Thomas A. Hendricks of Indiana. The contest was close and was followed by great excitement and suspense, the issue being in doubt. On the one side the suffrage had been tainted by stupendous fraud; on the other it had been perverted by shameful violence. "Which was the greater wrong," said the late George F. Edmunds, for many years United States Senator from Vermont, "no one could tell." In a letter to Senator John Sherman Gen. Hayes wrote: "Let Mr. Tilden have the place by violence, intimidation and fraud rather than undertake to prevent it by means that will not bear the strictest scrutiny."

Serious trouble was anticipated until it was arranged by an act of Congress that all disputed certificates should be referred to a commission consisting of five Senators, five Representatives and five Judges of the Supreme Court of the United States. The certificates respecting which there was no dispute and those approved by the commission having been opened it was found that Hayes and Wheeler had received 185 electoral votes to 184 for their opponents; and they were accordingly, on March 2, 1877, declared elected. The inauguration ceremonies were held on March 5.

Gen. Hayes became President absolutely free of obligations. But the peculiar circumstances under which he was declared Chief Executive made his position unusually difficult. Among the first questions he was called upon to deal with were the political troubles in Louisiana. In relation to these he pursued a conciliatory policy toward the South, withdrawing the Federal troops which had up to that time prevented the overthrow of the Republican Government, and thus allowing the Democratic incumbent to assume undisputed control. A similar controversy in South Carolina was settled in like manner. This course did much to allay the prevalent excitement, though it brought out unfavorable criticism by members of the Republican party.

Planned to Diminish The Scramble for Office

"Now for civil service reform," wrote the President in his diary April 22, 1877. "Legislation must be prepared and executive rules and maxims. We must limit and narrow the area of patronage; we must diminish the evils of office seeking; we must stop interference of Federal officers with elections; we must be relieved of Congressional dictation as to appointments." In 1881 George William Curtis said: "We think that Mr. Hayes has done more for a reform of the civil service upon sound principles than any other President in our history. . . . The great service of President Hayes to reform is to have shown that it is perfectly practicable."

Having urged in his message to the Forty-fifth Congress that specie payments be compassed as speedily as possible, and Secretary of the Treasury Sherman having declared that "the way to resume is to resume," the act for the resumption of specie payments went into effect January 1, 1879.

Some of his ablest political opponents conceded that President Hayes's Administration, taken as a whole, had been no less honorable to himself than creditable to the country. All attempts to induce him to accept a renomination failed. At the close of his term of office he retired to his home at Fremont, Ohio, where he died January 17, 1893.

While in the White House President Hayes rose at 7 and wrote until breakfast time, 8:30. Breakfast was followed by divine worship. A chapter of the Bible was read, each person present reading a verse in turn, after which all knelt and recited in unison the Lord's Prayer. The President then went to his office. From 10 to 12 he received callers. The 2 o'clock luncheon consisted of bread and butter, cold meats and tea. Usually the President invited a visitor with whom he desired to confer.

After luncheon he examined his correspondence. He seldom dictated to a stenographer. At 3:30 he went for a drive, accompanied by some member of the household or a friend. Returning at 5, he gave some minutes to his correspondence, took a brief nap, and dressed for dinner. Until 11 o'clock or later the time was given to callers who came by appointment. Before going to bed he took a short walk, calling upon some friend. No tobacco or other stimulant, excepting tea and coffee, passed his lips. His means were liberal, two bachelor uncles having left him in all $650,000, and though his habits were simple his hospitality during his Administration was boundless.

At the state dinner given to the Russian Grand Dukes Alexis and Constantin wine was served for the first and last time at the White House in the Hayes Administration. The edict which banished wine and all other alcoholic beverages from the Chief Executive's home at that time was generally ascribed to Mrs. Hayes, but the President, no less than his wife, favored it. He once expressed the following opinion, which may be of interest in view of what has come to pass since his day:

"I would not use the force of law as an agency for temperance reform. If laws on the subject are enacted, let them be for the security of the community—to protect the public from nuisances and crime."